

EXHIBIT 20

RFAs from *Iantosca v. Benistar Admin Servs., Inc.* Case No. 08-11785, 2012 US Dist. LEXIS 7896 (D. Mass. 2012) – Case cited by PSC in support of “legal conclusion” objection to RFAs

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSEPH IANTOSCA, et al.,)
)
Plaintiffs,)
)
v.) Civil No. 08-11785-NMG
)
BENISTAR ADMIN SERVICES, INC., et al.,) Judge Nathaniel M. Gorton
)
Defendants.)
and)
)
TRAVELERS INDEMNITY COMPANY,)
TRAVELERS PROPERTY CASUALTY)
COMPANY OF AMERICA, and CERTAIN)
UNDERWRITERS AT LLOYD'S)
LONDON,)
)
Reach and Apply Defendants,)
)
and)
)
UNITED STATES OF AMERICA,)
)
Plaintiff by Intervention.)
)
_____)
CERTAIN UNDERWRITERS AT)
LLOYD'S LONDON, and All Participating)
Insurers and Syndicates,)
)
Third-Party Plaintiff,)
)
v.)
)
WAYNE H. BURSEY,)
)
Third-Party Defendant.)
_____)

UNITED STATES' RESPONSES TO
DEFENDANT BENISTAR ADMIN SERVICES, INC.'S FIRST
REQUESTS FOR ADMISSIONS TO UNITED STATES OF AMERICA

Dated: December 1, 2011

UNITED STATES OF AMERICA,
Plaintiff by Intervention



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REQUEST FOR ADMISSION NO. 6:

Admit that the penalty in Internal Revenue Code section 6708 is applicable only to those persons who meet the definition of a Material Advisor and who are required to maintain a list under Internal Revenue Code section 6112.

Response: The United States objects to this request for admission because it seeks an answer to a pure question of law and, thus, is outside the scope of Fed. R. Civ. P. 36(a)(1).

REQUEST FOR ADMISSION NO. 7:

Admit that the penalty created by the American Jobs Creation Act of October 22, 2004 in Internal Revenue Code section 6708 is applicable only to Material Advisors as that term is defined for maintaining a list for reportable transactions entered into after August 3, 2007.

Response: The United States objects to this request for admission because it seeks an answer to a pure question of law and, thus, is outside the scope of Fed. R. Civ. P. 36(a)(1).

REQUEST FOR ADMISSION NO. 9:

Admit that to be penalized under Internal Revenue Code section 6708, a person is required to be both a Material Advisor under Internal Revenue Code section 6111 and required to maintain a list under Internal Revenue Code section 6112 as to a Reportable Transaction as defined under Internal Revenue Code section 6707A(c).

Response: The United States objects to this request for admission because it seeks an answer to a pure question of law and, thus, is outside the scope of Fed. R. Civ. P. 36(a)(1).